

ARGENTINA - Torture Still Alive (Marcela Valente, IPS)

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15/01/006 - [IPS](#) - The body of Diego Gallardo, 20, showed 57 injuries caused by savage blows to the head and body. He lay dying for an estimated 15 hours in an Argentine police station where he was brutally beaten by four officers after his arrest.

The atrocity sounds like just another of the thousands perpetrated by the 1976-1983 military dictatorship. But Gallardo was tortured and killed in Avellaneda, a district on the outskirts of the Argentine capital, in 2005, under a fully democratic regime, and his is only one of 183 violent deaths for which the country's security forces are blamed.

The National Coordinator against Police and Institutional Repression (CORREPI) keeps a record of police brutality cases, deaths from torture and ill-treatment in jails and police stations, and crimes committed by members of the federal police, border agents, naval police, provincial police or prison guards.

CORREPI has documented nearly 1,900 human rights violations since democracy was restored. The group's director, lawyer María del Carmen Verdú, told IPS that it is not just due to inertia that detainees continue to suffer police brutality.

"The authorities definitely want to keep in place a structure that allows them to crack down on social protests using arbitrary arrests, beatings and deaths," said the human rights lawyer. Even the proactive stance taken by the centre-left government of Néstor Kirchner to bring to light what happened during the dictatorship, and to bring human rights abusers to trial, has failed to raise hopes at CORREPI.

Another human rights group, the Centre for Legal and Social Studies (CELS), agrees that there are still obstacles standing in the way of the struggle against police brutality. Although last year the Supreme Court upheld the earlier repeal of the amnesty laws that put an end to trials of police and military human rights abusers in the late 1980s, CELS believes there are still challenges to be faced.

"Torture, violent death, intolerable overcrowding and the collapse of the prison system" are some of the problems to be solved, CELS stated in its annual report for 2005, titled "Institutional violence and exclusion: Obstacles to the democratic process."

The same is true of "arbitrary arrests, beatings and police executions of young people from low-income neighbourhoods" and shantytowns, according to CELS, which specialises in the legal defence of activists and people who cannot afford a lawyer and was originally founded to handle denunciations of human rights violations by the dictatorship.

CELS reported that in 2005, "abuse continued in prisons as a means of controlling socially excluded sectors," as did "cases of framing" by police and prosecution lawyers to create an appearance of effectiveness in fighting crime.

Rights violations continued to be suffered by indigenous people who resisted being evicted from their land, and there was political "manipulation" of assistance programmes for low-income people and unemployed workers, according to the report.

Andrea Pochak, associate director of CELS, told IPS that human rights violations linked with the past are not seen in the same light as those committed in the present, and referred to the violent and preventable

deaths of 30 inmates at a prison in Buenos Aires province last October.

"A consistent approach to human rights should be expressed in a policy that, whilst acknowledging the crimes committed in the past (by the dictatorship), must also recognise the legacy of the past in present times. This legacy can be clearly seen in the institutional violence taking place today in prisons and police stations," she declared.

Shortly after taking office in May 2003, Kirchner supported the repeal of the amnesty laws which let military human rights abusers off the hook in the mid- to late-1980s. Last year, the Supreme Court confirmed that the two laws were unconstitutional.

This development, celebrated as a victory by human rights groups, cleared the way to re-opening a large number of trials for crimes against humanity that had gone unpunished.

Kirchner also removed the Navy School of Mechanics (ESMA) from military control and handing it over to human rights groups, to be converted into a memorial museum.

ESMA was a notorious secret detention centre during the dictatorship: many of the political prisoners held there were taken out on "death flights," as they were later dubbed, and dumped, drugged but alive, from aeroplanes into the sea.

In addition, Kirchner ordered the army high command to remove a portrait of former dictator Jorge Videla from the Military Academy gallery of former leaders. General Videla was discharged from the army and sentenced to life imprisonment in the mid-1980s trial of the members of the military junta, and later pardoned by president Carlos Menem (1989-1999).

Further drastic steps taken by Kirchner included the renovation of the high commands of the armed forces by sending into retirement all high-ranking officers who had been involved with the dictatorship, and the appointment as minister of defence of a woman who was persecuted as a leftist during those years, Nilda Garré.

But these advances made by the national government are clouded by persistent human rights problems, especially in the provinces.

CELS indicated that in the last three years, the number of violent deaths in prisons in the province of Buenos Aires has tripled, while a full 80 percent of the inmates of penitentiaries in the most populated province in the country have not yet been sentenced.

Incidents of torture and violent deaths continue to occur in other provinces as well. According to a study published in November by Amnesty International, "cruel, inhuman and degrading" treatment is routine in penitentiaries in the western province of Mendoza.

An Inter-American Commission on Human Rights delegation took the case to the Inter-American Court of Human Rights. According to the London-based Amnesty International, the changes needed to improve living conditions in the prisons require "political will" rather than additional funds.

But that political will is not forthcoming. The national secretary for human rights, Eduardo Luis Duhalde, admits that the challenge is still pending.

"It's unfinished business, and an extreme situation," Duhalde said in an interview this month in the Buenos Aires newspaper *Página 12*, describing the severe overcrowding as "a boiler ready to explode." But he argued that the problem lies in delays in building new prisons.

"Kirchner should explain why there have been 420 violent deaths at the hands of the security forces during his 30 months in office," Verdú demanded at the presentation of CORREPI's annual report for 2005 in Plaza de Mayo, in front of the government house in the centre of Buenos Aires.

According to the report, 44.6 percent of the deaths occurred in prisons or police stations or immediately after release, and were caused by torture or beatings. One example is the death of Fernando Blanco, 17, which took place last year after he was arrested by federal police.

The implicated police officers stated that Blanco jumped off the truck transporting detainees after a football match in Buenos Aires. But the autopsy showed that the young man's death was due to blows he received before the fall.

Other deaths reported were cases of "trigger happy" police, like that of Camila Arjona, a pregnant teenager who died when federal police opened fire recklessly in a low-income neighbourhood in the south of the capital, while allegedly pursuing a suspect.

The CORREPI study states that 64 percent of the victims were aged between 15 and 25, and that some were even younger.

"The government says it's at the forefront of human rights, but it's easy to condemn rights violations committed during the dictatorship and to say nothing about those that are committed during times of democracy," the organisation commented, going on to say that "there are no political signs of a will to end these perverse State practices."

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